

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: James P. Siepmann
Assignee: LightTime, LLC
Title: LIGHT CLOCK
Patent No.: 6,363,036 Granted: March 26, 2002
Application No. 09/474,522 Filed: December 29, 1999
Conf. No.: 2344 Docket No.: LTL001US

August 12, 2011

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COMMISSIONER FOR PATENTS
P.O. Box 1450
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REPLY TO REQUEST FOR INFORMATION

In reply to the Request for Information mailed June 13, 2011 for the above-identified patent, Petitioners are submitting an accompanying supplemental declaration of Clark Caflisch. The supplemental declaration is further in support of Petition for Reconsideration under 37 CFR 1.378(e), which was filed in the above-identified patent application on November 19, 2010.

Petitioner submits that the failure to pay the maintenance fee in U.S. Patent No. 6,363,036 was unavoidable because Petitioner took reasonable care to ensure that the maintenance fee would be timely paid and Petitioner filed the petition to accept maintenance fees promptly after petitioner became aware of the expiration of the patent.

The steps that Petitioner took to ensure that the maintenance fee would be paid include hiring a registered patent attorney, John W. Eldredge, Reg. No. 37,613, to handle patent matters including tracking and paying maintenance fees for U.S. Pat. No. 6,363,036 and requiring that the patent attorney periodically report on the status of U.S. Pat. No. 6,363,036 to the CEO of LightTime, LLC, Clark Caflisch. Mr. Eldredge repeatedly represented that U.S. Pat. No. 6,363,036 was pending and that no actions were due. Petitioner acted with reasonable care and the abandonment of U.S. Pat. No. 6,363,036 was unavoidable by LightTime, LLC because the intentional misrepresentations of the status of U.S. Pat. 6,363,036 by a registered patent attorney were unexpected and unforeseeable. Petitioner

therefore requests reconsideration and reversal of the decision to dismiss the petition dated March 26, 2010.

Please contact the undersigned attorney if there are any questions concerning this document or the accompanying statement.

Respectfully submitted,

/David Millers 37396/

David Millers
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